

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Tribal Welfare Department, Andhra Pradesh Tribal Welfare Residential Education Institution Society, (Gurukulams) - Allegations of Corruption against Sri B.Nooka Raju worked as Principal, A.P., Tribal Welfare Residential School, Koyyuru, Visakhapatnam District - Trapped on 13-05-2011 - Sanction of prosecution - Orders - Issued.

SOCIAL WELFARE (TW.SER.II.2) DEPARTMENT

G.O.Ms.No.:01

Dated: 02-01-2014.
Read the following:

O R D E R:

1. Whereas, Sri B.Nooka Raju worked as Principal, A.P., Tribal Welfare Residential School, Koyyuru, Visakhapatnam District from 03.12.2004 to 13.05.2011 and by virtue of posts held by him, he falls under the category of public servant as defined under section 2(c) of the Prevention of Corruption Act, 1988.

2. And whereas, the complainant Sri Medapati Veerabhadra Rao, S/o Surya Rao a resident of Rajendrapalem Village, Koyyuru Mandal of Visakhapatnam District and doing vegetable business in his village, Sri Saviti Venkata Ramana, S/o Venkata Rao, 38 yrs, Milk Vendor, R/o Rajavommangi Village, East Godavari District, who was supplying milk to the said hostel. In the month of July 2010, Sri Medapati Veerabhadra Rao got awarded contract to supply of vegetables to AP Tribal Welfare Residential Hostel, Koyyuru, from August, 2010 to July, 2011 through public tender. Since then, he has been supplying vegetables to the Residential School/hostel. He was submitting bills for the cost of vegetables supplied for every three months to the Hostel Deputy Warden. The Deputy Warden in turn, would prepare bill and place before the Principal/warden. The Principal/warden would give him the total amount through a cheque. In the month April 2011, Sri M.Veerabhadra Rao submitted bills to the Deputy Warden for the vegetables supplied from January 2011 to March 2011. The Hostel Deputy Warden prepared the bill and placed before the Principal/Warden. On knowing the closure of the school from 23.04.2011 onwards, Sri M.Veerabhadra Rao visited the school, met the Deputy Warden Sri Mohan and asked him about his cheque. Then, the Dy. Warden took Sri M.Veerabhadra Rao and one Sri Saviti Venkata Ramana, whose bill amount of Rs. 18,000/- was pending for supplied milk to the said hostel, to the Principal Nooka Raju. Sri M.Veerabhadra Rao met the Principal Nooka Raju and asked him about the Cheque. Then the Principal / Warden Nooka Raju demanded to pay a bribe of Rs. 10,000/- each i.e. from the M.Veerabhadra Rao and the milk supplier S.V.Ramana. Then Sri M.Veerabhadra Rao stated that he had no money and requested to give him cheque first, so that he would give some amount after encashment of cheque. But the Warden did not agree and demanded to pay the bribe amount first and take the cheques. Sri M.Veerabhadra Rao requested both the Principal Nooka Raju and Deputy Warden T.V.Murali Mohan to issue the cheques, but in vain. Later the school was closed. On 11.05.2011, on coming to know about the visit of Principal/Warden and Deputy Warden to the AP Tribal Welfare School, Koyyuru, Sri M.Veerabhadra Rao along with milk supplier Sri Venkata Ramana went to the school, met Nooka Raju and T.V.M.Mohan requested them to issue the cheques. Then the Principal Nooka Raju stated that the cheques would not be given unless they paid a bribe of Rs.10,000/- each. The Hostel Deputy Warden T.V.Murali Mohan insisted to pay the bribe and take the cheques. Again they requested them to issue the cheques, but in vain. As there was not other alternative, the Sri M.Veerabhadra Rao agreed to pay the bribe amount of Rs. 10,000/- and requested the Principal Nooka Raju to give few days time to arrange money. On that, the Principal/Warden stated that he would leave for Kakinada and as such, he put sign on the two cheques and

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hand over the same to the Dy. Warden T.V.M.Mohan. Further, Sri Nooka Raju directed them to pay the bribe amount to the Deputy Warden T.V.M.Mohan and collect the two cheques from him. Then, the Deputy Warden Sri Mohan asked Sri M.Veerabhadra Rao to come to his house at Narasipatnam on 13.05.2011 (Friday), pay the bribe amount and collect the cheques. Sri M.Veerabhadra Rao agreed to do so. Sri Venkata Ramana expressed his inability to pay the bribe amount and came back. As Sri M.Veerabhadra Rao was unwilling to pay bribe amount to the Principal/Warden Sri Nooka Raju and Deputy Warden Sri Mohan of Andhra Pradesh Tribal Welfare Residential School, Koyyuru to get his work done, he reported the matter to Deputy Superintendent of Police, Anti Corruption Bureau, Visakhapatnam with a request to take action against them on 11.05.2011 at 18:00 hours.

3. And where as the Deputy Superintendent of Police, Anti Corruption Bureau, Visakhapatnam registered the report as a case in Cr.No.10/RC-VSP/2011, U/S 7 of the P.C Act, 1988 after pre-verification on 13-05-2011 at 08.30 hours and took up investigation.

4. And whereas, during the course of trap on 13.05.2011 at about 2.00 PM, Sri T.V.M.Mohan, Deputy Warden further demanded and accepted Rs. 10,000/- from Sri M.Veerabhadra Rao in the presence of Sri S. Venkata Ramana, accompanying witness on behalf of Sri B.Nooka Raju, Principal/Warden at open place in front of State Bank of India Main Branch, Narsipatnam and was successfully trapped. Sodium carbonate test conducted on both hand fingers of Sri T.V.M.Mohan, Deputy Warden, the left hand fingers yielded positive result. The tainted amount of Rs.10,000/- was recovered at his instance from his left side shirt pocket. The inner linings of left side shirt pocket of Sri T.V.M.Mohan when subjected to sodium carbonate solution test, yielded positive result. When the Deputy Superintendent of Police asked Sri T.V.M. Mohan about demanding and accepting the tainted amount, he admitted that he received the tainted amount of Rs. 10,000/- as bribe from M.Veerabhadra Rao on the instructions of Sri B.Nooka Raju, Principal/Warden. He also admitted that he received Rs.4,700/- as bribe from K.Appala Raju, Sweet vendor on the instructions of Sri B.Nooka Raju, Principal/Warden. The Deputy Superintendent of Police seized the tainted amount of Rs. 10,000/-, Rs.4,700/-, shirt of Sri T.V.M.Mohan, connected documents etc., for the purpose of further investigation.

5. And whereas, the aforesaid acts of Sri B.Nooka Raju worked as Principal, Andhra Pradesh Tribal Welfare Residential School, Koyyuru, Visakhapatnam District constitute offences under section 7, 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988) r/w 34 IPC.

6. And whereas the Government of Andhra Pradesh Tribal Welfare Department, Hyderabad, being the competent authority to remove Sri B.Nooka Raju, Principal, Andhra Pradesh Tribal Welfare Residential School, Koyyuru, Visakhapatnam District, from service after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, copies of documents and other material placed before them in regard to the said allegation and circumstances of the case considered that Sri B.Nooka Raju worked as Principal, Andhra Pradesh Tribal Welfare Residential School, Koyyuru, Visakhapatnam District should be prosecuted in a court of law for the aforesaid offences.

7. Now therefore, in exercise of the powers conferred by clause (b) of the Sub Section (1) of Section 19 of the Prevention of Corruption Act, 1988(Central Act 49 of 1988) and sec 197 of Cr.P.C 1973. Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri B.Nooka Raju worked as Principal, Andhra Pradesh Tribal Welfare Residential School, Koyyuru, Visakhapatnam District, for the aforesaid offences punishable under section 7 & 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) r/w 34 IPC and for any other cognizable

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offences punishable under any provisions of law for the time being in force in respect of the aforesaid act and for taking cognizance of the said offences by the Court of Competent jurisdiction.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

PRINCIPAL SECRETARY TO GOVERNMENT (TRIBAL WELFARE)

To
The Director General,
Anti Corruption Bureau,
Hyderabad.